



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

MINUTES

NEWINGTON TOWN COUNCIL MEETING

March 11, 2008

Mayor Wright called the meeting to order at 7:00 PM in the Helen Nelson Room of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present:

Councilor Banach
Councilor Boni
Councilor Bottalico
Councilor Bowen
Councilor Cohen
Councilor Lenares
Councilor Nagel
Councilor Nasinnyk
Mayor Wright

Staff Present:

John L. Salomone, Town Manager
Lori Verreault, Executive Assistant
Ed Meehan, Town Planner
Marian Amodeo, Library Director
Lisa Masten, Assistant Library Director
Ann Harter, Finance Director
Lisa Rydecki, Deputy Finance Director
Frank Sanzo, Superintendent, Highway Department
Tom Malloy, Assistant Superintendent, Highway Department

Councilor Bowen moved to add an item to the agenda: Agenda Item V-E (Old Business): NHS Track Renovation Project Building Committee – Field House Project
Motion seconded by Councilor Cohen. Motion passed 9-0.

III AWARDS/PROCLAMATIONS

A Girl Scout Week – March 9-15, 2008

Mayor Wright read the following proclamation:

WHEREAS, Wednesday, March 12, 2008, marks the 96th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and

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WHEREAS, throughout its long and distinguished history, Girl Scouting has helped build millions of girls and women of courage, confidence, and character who act to make the world a better place; and

WHEREAS, Girl Scouting's core values of high ideals, patriotism, respect for self and others, and community service permeate its traditional and innovative programs; and

WHEREAS, through Girl Scouting's unique leadership development program, girls develop their potential and the self-confidence and life skills to improve themselves and the world around them; and

WHEREAS, through the dedication, time, and talent of volunteers of different backgrounds, abilities, and areas of expertise, the Girl Scout Program is brought to over 55,000 girls in grades K-12 across the state of Connecticut; and

WHEREAS, more than 3.7 million Girl Scout members nationwide will be celebrating 96 years of this American tradition with nearly 50 million women who grew up participating in Girl Scouting and who exemplify the impact of this empowering Movement that emphasizes helping others and community service;

NOW, THEREFORE, BE IT RESOLVED,

That the Newington Town Council hereby applauds the commitment Girl Scouting has made to America's girls and their local communities and proudly proclaims the week of March 9-15, 2008, as "Girl Scouts Make the World a Better Place Week."

Mayor Wright stated that the Girl Scouts is a great organization, and a core part of growing up in this country. He thanked Darlene Koniarz of the Newington Girl Scouts/Girl Scouts of CT and the organization.

Councilor Nasinnyk recalled her days as a Girl Scout in Newington and recalled a Girl Scout camping trip from her youth. She stated that she has fond memories and appreciation for the Girl Scouts, and that she also loves the cookies. Councilor Bowen noted that his wife has many fond memories of her Girl Scout days and stated that the Girl Scouts are an important part of many girls' lives.

Ms. Koniarz stated that she oversees about 500 Girl Scouts and Girl Scout Leaders in Newington and they enjoy taking opportunities to provide community service and to finish patchwork in Town. She stated that now that the Newington Girl Scouts are part of the Girl Scouts of CT they have been able to explore many new things. She asked the community to call on the Girl Scouts with any requested community service projects.

Public comment – none.

Motion seconded by Councilor Bowen. Motion passed 9-0.

IV PUBLIC PARTICIPATION

Mark Pappa, 105 Back Lane: Mr. Pappa, MDC Commissioner, spoke about the requested no-confidence vote against MDC Chairman DiBella. Mr. Pappa stated that this is a serious matter which will have a long-term effect on the citizens of Newington. He stated that there has been a pattern of history established by Mr. DiBella that indicates a serious credibility problem. Mr. Pappa stated that the Commission is facing a two-billion dollar referendum, voted for by rate payers prior to any knowledge of the serious contingencies surrounding Mr. DiBella. He noted that in 1998 Mr. DiBella made a choice to aid and abet securities laws and to violate SEC rules involving a scandal with the now-disgraced former State Treasurer Paul Sylvester. He stated that for his role in the pension scheme Mr. DiBella earned a \$375,000 referral fee which the SEC ruled that Mr. DiBella did not properly earn. Mr. Pappa stated that Mr. DiBella was recently found liable for seven counts of aiding and abetting securities fraud. Mr. Pappa stated that Newington should take a leadership role to create a vote of no-confidence, a move which will resonate to other member towns. He stated that Newington has the opportunity to protect taxpayers and send the message that Newington will no longer tolerate what is essentially a spillover from Roland-era corruption. He urged that Councilors to vote in favor of a no-confidence vote against Mr. DiBella.

Dan Quattromani, 8 Brentwood Road: Mr. Quattromani spoke about the requested no-confidence vote against MDC Chairman DiBella. He stated that it is not the Town of Newington's right to try to overturn something that is the City of Hartford's responsibility. He stated that Mr. DiBella has done plenty of good for the district, from the 1980's to present. Mr. Quattromani stated that the issue with Mr. DiBella has nothing to do with the MDC, and is therefore under appeal; the system should decide the outcome of the appeal, and it is unfair for the Town to take action. He stated that Mayor Wright has voted against the Clean Water Act, and act which would benefit everyone. He stated that there are many things in the system which will need to be fixed, and that the MDC is well aware of what it must do. Mr. Quattromani stated that Mr. DiBella is taking charge and getting things done, and again stated that it is unfair for the Council to attempt to get Mr. DiBella ousted before the outcome of the case is clear.

Dominic Pane, 638 Church Street: Mr. Pane spoke about a construction project on the corner of Pane Road and Church Street which has been lagging for about three years. He stated that it has turned into blight and an unsafe situation with a foundation sticking out of the ground and a 20-foot hole. He requested that should the foundation be determined to be unusable that the developer take it down and re-grade the area. He asked the Town to put some pressure on the developer as the area residents have been putting up with the situation for a long time. Mr. Pane also spoke about the crabapple trees planted on Pane Road during the 1970's. He stated that over the years some of the trees have died or become damaged. He stated that they have reached the end of their useful lifespan, area businesses have spent too much time maintaining the trees, and requested the removal of the remaining trees. Mr. Pane suggested that the area businesses can work with the Town to come up with a new beautification plan for the road. Mr. Pane also requested that the Town look into working with the Town of Wethersfield for leaf removal. He stated that the Town of Wethersfield processes their leaves at a Jordan Lane facility and sell the material to avoid trucking the leaves away at a high cost. He stated that the Town should look into working with Wethersfield to bring the Town's leaves to the facility, and stated that the Town's savings could be as much as \$50,000 - \$100,000.

V CONSIDERATION OF OLD BUSINESS

A No Confidence Vote – William DiBella – MDC

Councilor Cohen moved the following:

RESOLUTION OF NO CONFIDENCE IN MDC CHAIRMAN WILLIAM A. DIBELLA

BE IT RESOLVED:

That the Town of Newington, as a Member Municipal Corporation of the Metropolitan District Commission community, hereby declares it has no confidence in the leadership of Chairman William A. DiBella. The Town of Newington, through its Council, opines that Mr. DiBella's adverse jury verdict regarding State Pension Funds and his handling of a bid award, exemplify the reasons for which Mr. DiBella should not be at the helm of a \$2.1 billion bonded reconstruction project and urges other member Towns to join Newington in its censoring of Chairman DiBella.

Motion seconded by Councilor Boni.

Councilor Cohen noted that she has already gone on the record as saying that some MDC members have felt that Mr. DiBella's actions with the law have no bearing on his ability to run MDC projects, however, she is concerned with the fact that they are facing a multi-billion dollar project that will extend over many years and it is very important that the bid process is done properly and in conformance with the law. Councilor Cohen stated that all of the taxpayers are paying for this project and it must be done properly. She stated concern over the way bids have been awarded in the past.

Councilor Nasinnyk noted that she is aware that Mayor Wright voted against the Clean Water Act and that the Act did pass. She also noted awareness that Mayor Wright ran unsuccessfully against Mr. DiBella for the Chairman position of the MDC. She also noted awareness of attempted no-confidence votes by the Commissioners in the past year, none of which passed. Councilor Nasinnyk noted that Mr. DiBella was recently reelected to a two-year term by a vote of 17-11. She stated that the Newington Town Council does not know better than the 28-member MDC about the issues. Councilor Nasinnyk stated that the valuable time

the Council has spent on this issue has detracted from time spent on important Town issues. She stated that if the other Councilors feel just as passionately about Mr. DiBella as the Mayor then they should vote in favor of the resolution, however, she will abstain from the vote, as she feels it is not an issue for the Town Council to consider. She stated that she is not making a statement for or against Mr. DiBella, as she was not elected to make a statement against an individual on another Commission on which the votes have already been passed. Councilor Nasinnyk noted that Mr. DiBella's case is a civil case, and that he has not been convicted of any criminal activity. She stated that she has done her due diligence and met with Mr. DiBella and again stated that she will abstain from the vote.

Councilor Banach stated that he feels that the problem is being handled at the proper level, the State level. He quoted from a March 5, 2008 article in the Hartford Courant: "...William DiBella would be forced to step down as Chairman of the regional water and sewer authority under legislation being pushed by the top House Democrats. Caruso, one of the leaders, a Bridgeport Democrat, said the law would apply to DiBella and that he 'wouldn't be permitted to serve on the panel'...." Councilor Banach stated that because the issue is being effectively handled where it should be handled, he too will abstain from the vote.

Councilor Bowen stated that since the last Council meeting he has been working behind the scenes for the issue to not come to this point. He stated that he has not seen an issue as politically motivated as this in his time on the Council, and it has bothered him personally. Councilor Bowen noted that he considers himself to be a volunteer rather than a politician, and noted that this is the first time he has felt thrown into politics over a particular issue. He stated that he has done his due diligence and asked the Republicans on the Council if they did the same due diligence in their independent research about the charges brought up against Mr. DiBella. He remarked that Councilor Cohen is very upset about the bid award, and asked whether she fully understands what happened with that bid award and why she is so upset. Councilor Bowen gave a brief description of his professional background in securities. He stated that through his due diligence he has heard different sides of the story, and stated that while he is not speaking in support of Mr. DiBella he certainly does not have enough information to condemn Mr. DiBella for his actions. He stated that the SEC could not convict Mr. DiBella in a criminal court, so he was taken to a civil court in which the judge has not issued her final verdict. Councilor Bowen stated that the judge has already clearly identified that the verdict is going to be appealed, and that there is yet to be an end verdict on the process. Councilor Bowen stated that he does not have enough first hand information and he does rely on the often-biased newspapers as a source of factual information. He stated that the MDC has been evaluated by the eight credit agencies and that it would not retain its credit ratings if the credit agencies are uncomfortable with the management, and that the MDC would be forced to do something about its management should the credit agencies have any concerns. Councilor Bowen again stated concern that the issue is political in nature, and asked Councilor Cohen and Councilor Boni to rescind their motion and second. Both Councilors declined. Councilor Bowen stated that he had been given an email communication from a member of the Wethersfield Town Council. He stated that Wethersfield is also considering a no-confidence vote which he believes will fail by 7-2 vote in Wethersfield which has a 6-3 Democratic majority. He read the email, sent to the Wethersfield Republican Town Chair and the Wethersfield Republican Minority Leader by Mayor Wright:

Hi Donna and Rich (Donna is a Councilor, Rich is the Chair)

I have attached a .PDF of the resolution. Rich, when you have an opportunity please give me a call on my cell phone to discuss. We will pass this resolution at the March 11 Council Meeting and it will pass with at least a 6-3 vote and more likely a 6-0 with three abstentions. Obviously, I think this is an excellent tool because it is a win-win for our position. When it passes we will be the first time non-MDC public officials to weigh in on this issue. It could ultimately contribute to his being forced out. From a local politics perspective it puts the D's (Democrats) between a rock and a hard place. If they vote against it or are silent on the issue it is, in effect, supporting him which you can make a huge campaign issue next year because the public cannot stand DiBella. If they vote for it then it is additional pressure for him to step down and put the D's counter to the macro political power. I would really appreciate you pushing the resolution in Wethersfield and we are in the process of it going out to other towns.

Thanks,
Jeff

Councilor Bowen stated that this item should not be on our Council. He asked the Town Manager whether there is a legal basis for the Council to consider this type of resolution. Town Manager Salomone stated that

he asked the Town Attorney for his opinion, and the Town Attorney's opinion was forwarded to the Mayor. Councilor Bowen remarked that he wished he had seen the opinion. Mayor Wright quoted from the Town Attorney's opinion: "...therefore because the DiBella resolution is directly related to the Council's obligations to promote good government for the benefits of the citizenry, I found the resolution legally acceptable and within the Council's municipal powers." Councilor Bowen stated that he did not want the Council to do something without a legal basis. He asked Mayor Wright to reconsider the resolution. He stated that the Mayor has made his point against Mr. DiBella and has received a lot of press and face time on the issue. He requested that if the Mayor chooses to not pull the resolution that he explain to the Council the meaning of the jury verdict and explain how the handling of the bid award hurt the participants of the MDC.

Mayor Wright asked if there was any further discussion prior to his addressing of the issue. Councilor Cohen stated that the language in the resolution about the bid award was added at her request because she is concerned about possible legal issues with favoritism or improper awards in future bidding. She stated that such legal issues could become a problem for the taxpayers. Councilor Bowen asked whether the Mayor agrees with Councilor Cohen's opinion. Mayor Wright answered in the affirmative. Councilor Bowen asked for more insight as to how the bid award worked. Mayor Wright stated that not all of the information is public at this time but opined that the people will not like the result. Mayor Wright stated that Mr. DiBella was found, by a jury of his peers, liable for taking a \$374,000 finder's fee. He stated that the lawsuit charged that Mr. DiBella did no meaningful work to earn that finder's fee. He stated that the case brought up against Mr. DiBella was brought up by the Federal government Securities and Exchange Commissions. He stated that Mr. DiBella's presence on the Commission as it gets ready to take on a multi-billion dollar Clean Water project, is wrong because Mr. DiBella has committed a major violation. Mayor Wright stated that other people involved in the case such as Paul Sylvester and Ben Andrews are in prison. He stated that the case is now at the point of the punishment phase and that the SEC is seeking over a million dollars in fines and penalties and are seeking to bar Mr. DiBella from serving as an officer or director of any publicly traded company. Mayor Wright stated that the next question people ask is whether Mr. DiBella can serve in the capacity of the MDC, and stated that the simple answer is that the SEC does not have any jurisdiction over municipalities and the bottom line is that the federal government is going to get over one million from Mr. DiBella and is going to ask that he never serve on the board. Mayor Wright stated that in order for the Clean Water project to succeed it must go smoothly and with the trust of the people. He stated as one of the eight member-towns Newington is a stakeholder in the MDC and it is the Town's place to take action on this issue. He stated that the MDC will start placing a surcharge on residents' water bills, and that the typical resident will see their water bill increase four times over the next ten years. He also stated that by conservative estimates the Clean Water project will cost 2.1 billion dollars, and from a bonding capacity standpoint Newington's responsibility will be about 200 million dollars. He stated that he does believe that the issue is steeped in politics and he stands by what he stated in his email. He stated that the vote is between supporting good government and turning a blind eye. He stated that leadership is about taking a position that is right for the public. Mayor Wright stated that if Newington takes a leadership position against Mr. DiBella it would create pressure in other towns to stand up and take the same position. He stated that over time the voters will punish elected officials who continue to turn a blind eye and support Mr. DiBella. He remarked that it is a very clear issue and he stands by everything he has said.

Councilor Bowen stated that he believes in good government and that this is not good government. He stated that four times in the past two years the MDC has gone against political pressure of Governor-appointed Republicans to vote to retain Mr. DiBella as Chair of the MDC. He also stated, again, that he believes that the Council has not done due diligence on the issues involved to take this kind of a vote. He stated that an independent expert by the name of Bernie Waters was brought in to look at the issue, and stated that he will stand by Mr. Waters' opinions when they are made available. He stated that the people not heard at the table are the bond holders. Councilor Bowen stated that his position is not in support or condemnation of Mr. DiBella. He stated that his position is that the Council does not have enough information to be able to pass the resolution. He asked Councilor Cohen to please inform him if she has ever had such an experience during her time on the Council. He stated belief in the non-partisan nature of the Council and that he will abstain from the vote.

Councilor Banach stated that he does not agree that a blind eye has been turned towards the issue, noting that there is support for the issue in the legislature, which is the proper body to deal with the issue.

Mayor Wright stated that Mr. DiBella was found liable on all counts from the SEC and a jury of his peers. He noted that at the time Mr. DiBella had said that he would step down if his appeals did not work out because he did not want to tarnish the reputation of the MDC. Mayor Wright commented that at this point the jury is in

and it is a done deal except for his punishment; Mr. DiBella is not fit to lead the organization, and the Town cannot sit silently on the issue. He stated that he continues to receive phone calls and letters from both Democrats and Republicans about the issue, and contended that the ratepayer is the victim.

Councilor Cohen requested a roll call vote, as follows:

Councilor Banach – Abstain

Councilor Boni – Yes

Councilor Bottalico – Yes

Councilor Bowen – Abstain

Councilor Cohen – Yes

Councilor Lenares – Yes

Councilor Nagel – Yes

Councilor Nasinnyk – Abstain

Mayor Wright – Yes

Motion passed 6-0 (Councilors Banach, Bowen and Nasinnyk abstain).

B 8-24 Referral – Easement Request, Little Brook Park

Councilor Bottalico moved the following:

RESOLVED:

That the Newington Town Council hereby refers to the Town Plan and Zoning Commission for an 8-24 Report a request for a sanitary sewer easement through Little Brook Drive submitted by Mr. Wayne Pouncey of 25 Clearview Avenue, Rocky Hill, intended to service two (2) residential lots in the Lakeview Avenue/Clearview Avenue neighborhood in Rocky Hill.

Motion seconded by Councilor Bowen. Motion passed 9-0.

C Accept Final Report of Parks and Grounds Project Building Committee and Discharge Committee

Councilor Bowen moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the final report dated February 12, 2008 of the Parks and Grounds Project Building Committee and formally discharges this committee;

BE IT FURTHER RESOLVED:

The Newington Town Council hereby expresses its appreciation to the Chairman and to all the members, past and present, of the Parks and Grounds Project Building Committee for their diligence in overseeing the Phase I construction of the expansion of the Parks and Grounds facility and to Town staff members who completed Phase II to provide a safe and comfortable facility for the Parks and Grounds employees.

Motion seconded by Councilor Banach. Motion passed 9-0.

D Street Acceptance – Strawberry Lane

Councilor Boni moved the following:

RESOLVED:

That the Newington Town Council, following a Public Hearing held on March 11, 2008 hereby accepts Strawberry Lane as a Town road.

This acceptance is conditioned on the developer's satisfactory completion of the following requirements:

- 1. Corrections of any defects as determined by the Town Engineer,**
- 2. Submission of two sets of "as built" street plans and profile mylars for recording and certification of merestone placement,**
- 3. Warranty deed for roadway extension and drainage easement, if applicable,**
- 4. Maintenance Bond, amount to be determined by the Town Manager, for one (1) year from date of acceptance.**

This acceptance is to take effect following the certification by the Town Engineer on the condition of the road and the written acceptance by the Town Manager.

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

E NHS Track Renovation Project Building Committee – Field House Project (added to agenda)

Mayor Wright invited Board of Education member Steve Woods to the table to discuss the project. Mr. Woods stated that the purpose of the resolution before the Council is to allow the project to move forward for two reasons:

1. The bidding climate is very favorable to the Town at this time
2. To allow the project to proceed with as little interruption to high school athletics this fall.

Mr. Woods stated that the Council has allocated \$425,000 through the CIP for the project and the Board has an additional \$80,000 appropriated for athletic improvements which will also go towards the project. He stated that community fundraising has raised about \$50,000 to date towards the project. He stated that he hopes the Council will put forth an additional \$250,000 in the CIP in the upcoming budget. He stated that there is an additional \$50,000 allocated in the 125 account. The total project budget is \$855,000. Councilor Bottalico asked about the possibility of receiving a 55% payback on the project. Mr. Woods stated that the payback could be 54.64% which is a roughly \$440,000 payback, which is contingent on the OCR grant. Councilor Bottalico asked if there are any other possibilities for reimbursement if the Town does not receive the grant. Mr. Woods stated that all funds with the exception of the privately raised money are eligible for the ECS reimbursement of 22% or roughly \$177,000. Councilor Bottalico stated that it is a win-win situation. Mr. Woods stated that the Town is guaranteed to receive 55% reimbursement on \$300,000 without question; it is the remaining \$555,000 that is in question. He stated optimism that the Town will secure the grant and if it is presented to the State Department of Education in its entirety it will more than likely be approved because the project is addressing issues and making improvements.

Councilor Bottalico asked if there is a figure available for the OCR project at the high school. Mr. Woods replied that they do not have a figure on the high school building, stating that it is a different area. He explained that the Board of Education was cited by the OCR, which submits a report based on its study and gives the Town a certain amount of time to respond to the report. He stated that the Board is looking for the Council to appropriate \$50,000 to hire an architect to look at all of the items identified in the OCR report and provide a dollar figure on the improvements. Councilor Bottalico stated that there was confusion at the last Council meeting because there were no dollar values on the High School OCR report. He confirmed that the Board is asking for a go-ahead to start the process and that the items listed on the OCR reports are mandates. Mr. Woods confirmed Councilor Bottalico's statements and added that the Town has time to address the items.

Councilor Nasinnyk asked Mr. Woods for a breakdown and explanation of the figures. Mr. Woods provided the following:

- The total project budget is \$855,000
- The Council has already allocated \$425,000 through CIP
- The Board is requesting an additional \$250,000 through the CIP

Councilor Bowen added the following:

- The Town is guaranteed to receive a 55% rebate on at least \$300,000 of the project's costs, which would equal a rebate of \$165,000. This would leave approximately \$500,000 remaining in the project, which at 22% would mean an additional rebate of \$110,000 is possible.
- The return will be a minimum of \$275,000

Deputy Mayor Lenares added that the minimum return will be \$275,000 and the maximum return will be \$432,000.

Mayor Wright confirmed that the Board of Education is asking for Council support and approval for the Board to go out to bid for the project. Mr. Woods clarified that it is not a Board of Education project; it will be run and governed by the Building Committee through the Council. He stated that the Council will have complete control over the project. He stated that the request is for the project to go to bid, but by no means will any bid be accepted until all funds are in place, and bids will be cancelled without allocation of the funds. Mayor Wright confirmed that the resolution is to authorize the Building Committee to move forward with the process and if things don't work out as planned the project can be pulled back.

Councilor Banach asked if there is any urgency with the project which will call for the item to be voted on at the present meeting. Mr. Woods replied that the urgency lies in the need to capture the current bidding climate which is currently about 10-20% under market projections. Councilor Cohen stated that the purpose of the resolution is to authorize the Building Committee to move forward with the bidding process with the understanding that no funds will be spent until the money becomes available and if funding is not approved the Town will not move forward with that portion of the project. Mr. Woods stated that the Council will be in control of the project even when the funding is in place. Councilor Bowen noted an important change in the Committee, in that previously the Council had oversight on \$425,000 of the original \$725,000 project but the Committee has decided, with the Board of Education, that the Committee will now oversee the entire project until its completion, so the Town Council will have oversight of the entire project rather than of approximately half of the project. Councilor Bowen stated that the project is a good example of a partnership between the Council and the Board.

Councilor Bottalico asked about the timeframe on the grant approval. Mr. Woods replied that the Council needs to move forward with the OCR, as they cannot apply for the grant until the Council approves the authorization to go out to bid on an architect. Councilor Bottalico asked for a timeframe for grant approval should the Council vote on the item during the current meeting. Mr. Woods replied that the Committee should know of an approval by mid-summer.

Councilor Nagel thanked Mr. Woods for clarifying the numbers and stated that the project is a win-win situation. Deputy Mayor Lenares agreed that it is a win-win situation for the Town, and that he fully supports the project as it will benefit students the most.

Councilor Nagel moved to waive the rules to vote on the item. Motion seconded by Councilor Boni.

Town Manager Salomone noted that he had mentioned in the last meeting that he would invite the Superintendent of Schools to speak on the item at the Council Meeting scheduled for March 17, and asked whether that would still be necessary. Mr. Woods replied that there are two separate issues regarding the OCR report, and this resolution applies to the field house portion only. He stated that there are issues to still be addressed with the High School.

Mayor Wright remarked that this issue is a good example of an appropriate reason to waive the rules for a vote.

Motion to waive the rules passed 9-0.

Councilor Nagel moved the following:

RESOLVED:

Pursuant to Chapter 2, Article II, Section 2-23, Project Building Committees, of the Newington Code of Ordinances, the Newington Town Council hereby approves the final plans and cost estimates for the High School Field House Renovation and Expansion, as reviewed by the Town Council on March 11, 2008 and as approved by the Newington High School T.R. Project Building Committee, and authorizes the project to proceed to bid. This approval is contingent upon review and approval of the final plans by the Newington Board of Education.

Motion seconded by Councilor Bowen. Motion passed 9-0.

VI CONSIDERATION OF NEW BUSINESS

A Budget Review: Library

Marian Amodeo, Library Director, several staff members and Library Board directors came to the table to review the Library Budget: Maureen Lyons, Library Board President, Tony Palermino, Library Board Member and past President, Iris Larson, Library Board Treasurer, Lisa Maston, Assistant Director. Town Manager Salomone gave an overview of the Library Budget:

700 - Library

- Very few changes as far as programs – status quo budget
- Maintains excellent services of the library
- Supports purchases and new additions
- Down 7% due to consolidation of maintenance to centralized facilities account

711 – Library Administration

- Basically remains status quo
- Commitment to data services for enhancements. Ms. Amodeo explained that there has been a slight fee increase in the Connect (integrated library system) service. Another new service offered by the Library is downloadable audio books, a very popular service in which audio books can be downloaded to the borrower's personal device for a period of time.

712 – Library Children's Service

- Straightforward budget – pays salaries for Children's Services staff, very little increase.
- Councilor Bottalico asked for an explanation of the Library staff's overtime. Ms. Amodeo explained that overtime is for full-time union employees who choose to work Sunday hours. Increase is due to the hiring of a replacement full time person Children's Services who is choosing to work some Sunday hours.
- Councilor Nasinnyk asked about the decrease in full-time salaries. Ms. Amodeo explained that the decrease is the salary difference between the person who was in the position at the start of the year and the person who later replaced her at a lower classification.
- Councilor Bowen asked whether overtime must be offered and why. Ms. Amodeo explained that the overtime must be offered based on the contract. Union members' hours are well-defined in their contract to include one evening a week and a Saturday rotation as part of normal time, but Sundays are overtime. The full time workers must be offered the Sunday overtime first before it is offered to part-time employees. Councilor Bowen asked whether there would be enough non-union employees willing to fill those hours if they were not offered to the union employees. Ms. Amodeo replied that there would probably not be enough – there is only enough weekend staff to cover those hours. Councilor Bowen asked whether they know in advance about the employees who wish to work Sundays. Ms. Amodeo replied that they know in November about the Sunday coverage for the upcoming fiscal year. Councilor Nasinnyk asked about the months with Sunday hours. Ms. Amodeo replied that they go from November – May.

713 – Reference and Community Services

- 5% increase across the board to reflect cost increases in materials. It does not reflect an increase in the purchase quantity.

714 – Library Building

- Funds distributed to maintain the Library building
- Most major amounts have been reduced.
- Approx. \$4,300 kept in line item 8213 for day-to-day minor situations in the facility in which maintenance does not need to get involved. (Light bulbs changed, etc.)
- All other funds have been moved to the new Facilities Manager line

715 – Collections

- Part time – reduced by about \$6,500: has been moved into Circulation which has an increase of \$9,400
- Other than that no changes
- Councilor Bowen asked about the increase in the part time budget under item 715. Town Manager Salomone replied that it accounts for potential raises.
- Councilor Boni asked whether it would be possible to have a summary sheet at the heading of each department. Town Manager Salomone replied that there is a summary sheet at the beginning of each unit.

- Deputy Mayor Lenares asked about technical supplies under section 715. Ms. Amodeo replied that they include plastic cards used for library cards. Book covers, pockets for books, DVD cases, all supplies needed to prepare materials for public use are included in Collection Management.
- Councilor Bottalico asked where revenue collected is listed in the budget document. Ann Harter, Finance Director, replied that there will be a separate section for revenues.

B Tax Abatement Request by Library for 22 Mill Street Property

Ms. Lyons stated that the Library Corporation, being a tax-exempt entity, is requesting the abatement for the Mill Street property. She stated that some of the tax is retroactive when the Library did not own the property. Town Manager Salomone stated that the item will be on the agenda for consideration at the next meeting.

Councilor Nasinnyk asked about item 730 on the Library Budget – Hubbard Book Fund. Town Manager Salomone explained that in the 1960's a resident by the name of Mr. Hubbard donated \$10,000 to the Library with the stipulation that the interest proceeds are also used. He stated that the interest proceeds of about \$600 are transferred to the Hubbard Fund twice a year and used to purchase additional books. Councilor Bowen asked for clarification as to whether the donation was to the Library or the Town. Ms. Amodeo replied that the donation was donated to the Library but under the Town's care.

Mayor Wright called for a brief recess at 8:34 pm. The meeting was called back to order at 8:44pm

- C Budget Review: Public Works Engineering, Highway, Sanitation) and
- D Budget Review: Community Planning and Development (Town Planner, TPZ, ZBA, Building Department, Conservation Commission, Economic Development)

Town Manager Salomone started that he will go slightly out of order from the agenda to group together Engineering and Town Planning budgets. Ed Meehan, Town Planner, came to the table to discuss the budgets. Town Manager Salomone reviewed the following budgets:

310 – Engineering

- Personal services – Increase of 6.8% due to adjustments made during the year in which part time function was moved to sanitation. Public Works Administration was reorganized, and moved supervision into Public Works Department and Highway Administration.
- Reflects a full year of full-time salaries and reflects a full time secretary position which will be split half and half between Engineering and Facilities Management.
- \$440.00 shift between Dues and Subscriptions and Training.
- Councilor Cohen asked about contractual services. Town Manager Salomone replied that contractual services are for professional engineering firms or specific specialists or professional expertise used by the Town

420 – Planning and Development

- Excellent budget – status quo except for staff salary increases
- Councilor Bowen asked about the 10-year plan on conservation and development. Mr. Meehan replied that the plan is being worked on in-house, and while it is behind schedule his goal is to have enough progress done to start holding workshops this fall. He stated that the project is not in the budget because it will be completed in-house since using outside sources would cost about \$100,000 to \$115,000. Councilor Bowen asked about the probability of the project actually happening, noted that the \$115,000 cost to outside sources would cost almost half of their entire budget and expressed concerns about the study being completed in-house. Mr. Meehan replied that he is hopeful that the study can be completed in house, as the major components are done and the boiler plate of the plan (the population, economic components and housing components) do not require a lot of analysis and research. He stated that a report from a professional consultant would contain unnecessary background information. Mr. Meehan stated that the project can be completed before the end of 2008. Councilor Bowen stated that there is not as much land available in Town as there was when the last study came out in 1993. (Published in 1995). Councilor Bowen stated that theoretically the next study following should have been published ten years later in 2005. He stated that there is not much space left in Town, and with talk about smart growth Mr. Meehan's department is the keystone to those decision processes. He stated that decisions on properties are currently being made on the fly without considerations about how they will fit into the overall picture for the Town. He stated that while he understands the high cost of the project the impact on the Town is

dramatic. Councilor Bowen asked whether a part-time person should be hired to help with other departmental duties so that the focus can be on the study, and again expressed concern that the study will get done as it is already three years late, and expressed concern that there is no blueprint for the final strategies for the final development of this Town. Mr. Meehan stated that the project is a priority. He stated that there is not much land left in the Town, and the strategy for the plan is to better reuse the land, and that several policies and strategies of the previous plan still have credibility and are still valid. He stated that there will not be many changes in the plan unless the policy makers make a decision to allow more density in Town, which is currently not the preference of the policy makers and residents. He stated that vertical growth would be a challenge to the infrastructure to the Town. Councilor Bowen stated that the Council will follow his advice and contended that if Mr. Meehan's view on how the land is going to be developed in Town has not changed since 1993 then they will need a completely different way to look at it because developable land was dramatically different in 1993 than it is now. He stated that the Council needs Mr. Meehan's and the department's advice as the situation becomes more and more critical. Mayor Wright stated support for Mr. Meehan's approach to the study and agreed that much of the information is boilerplate.

430 – Town Planning and Zoning Commission

- Most of budget is comprised of the publication of legal notices or public hearing notices, printing and binding of various reports and the wages of the part-time employee who creates the minutes.
- Budget is basically status quo

440 – Zoning Board of Appeals

- Budget is status quo

450 – Building Department

- Status quo except for salary increases

460 – Conservation Commission

- Status quo – however, expenditures can ebb and flow based on the workload of the agenda

470 – Economic Development

- Director of Development item is included for historical purposes only, no longer a budget.
- Mayor Wright asked whether the budget is enough for the Economic Development Commission to accomplish its goal and objectives. Mr. Meehan stated that the budget is a substantial increase Town Manager Salomone stated that it is a 2,400% increase which will include \$2,500 for other contractual services and \$500 for conferences and union expenses. He stated that the number is about 75% of what the Commission had requested and that it gives them money to work with in the future.

Frank Sanzo, Highway Department Superintendent and Tom Malloy, Assistant Superintendent, came to the table to discuss the budgets. Town Manager Salomone reviewed the following budgets:

321 – Highway Administration

- Straightforward budget includes staff raises and longevity payments. Councilor Bottalico asked about uniform rental and cleaning. Mr. Sanzo replied that the union contract specifically requires uniforms for union employers. Town Manager Salomone added that the clothing allowance is for safety shoes.
- Councilor Bottalico asked whether the drop of one position was a transfer or a lost employee. Town Manager Salomone explained that there was a request for an additional Public Works employee which was declined, so there is no increase or decrease.

322 – Highway Operations

- 12.5% increase in full time salaries is a more straightforward way of accounting for the salaries, in which the labor was once subdivided, whereas now all revenues and expenditures are being shown in the general fund. The expenditures are offset by \$70,000 in revenue, and the actual increase in salaries is 4.9%. The 4.9% increase is due to step increases and turnover.

324 – Snow and Ice Control

- Budget does not increase greatly
- \$189,000 for construction and maintenance materials used to be for sand and salt, however there is a plan to convert to the full use of enhanced salt, which has potential for less maintenance in the spring, and is better for the environment than a sand and salt mixture. There is a difference in application methods, funds may be added to the CIP to aid in the transition to the new method including calibration equipment for the trucks. Deputy Mayor Lenares asked about the cost per unit to install the equipment on the trucks. Town Manager Salomone replied that the cost is about

\$4,000 to \$5,000 per truck with a total cost of about \$75,000. The new equipment will provide better application control.

- Councilor Boni asked about the overtime number and how it is determined. Town Manager Salomone replied that part of it is the direct cost of the salary increase prorated to that amount, but there could be a wide fluctuation of overtime depending on the weather. He started that the budget is based on an average winter. Deputy Mayor Lenares asked the status of the current snow budget year-to-date. Town Manager Salomone replied that 84% of the materials have been purchased, with enough in reserve to last the remainder of the year (barring any tremendous snowstorms) and 71% of overtime has been used.

325 – Traffic

- Minimum increase. Budget for line painting and electricity for the traffic lights that fall under the Town's responsibility. Mayor Wright asked how many traffic lights fall under the Town's responsibility, Town Manager Salomone replied that there are about 9-10, but he will find out the exact number. Councilor Cohen asked whether the cross-walk signs are included. Town Manager Salomone stated that he would get that information.

327 – Vehicles and Equipment Maintenance

- Centralized equipment – maintenance of all equipment is covered with the exception of school busses
- Additional funds allocated for conferences and meetings and advanced training from Ford (two-day intensive seminar for mechanics)
- Increase in budget for fuel and lubricants. Gasoline prices are locked in at \$2.73 per gallon until December 31, 2008 and diesel is locked in at \$2.22 through the spring. These prices do not include State and Federal taxes.

328 – Leaf Collection

- Budget reduced slightly, looking for more efficiency in curb-side leaf collection next year. Nature did not cooperate with the leaves falling this year – collections went into November and what was supposed to be a six week process became a nearly ten week process. Multiple leaf pickups were necessary due to the leaves dropping late and at different times from different trees.
- Deputy Mayor Lenares asked what is covered by the \$83,000 overall requested budget. Mr. Sanzo replied that the budget includes the part-time employees who are hired for leaf collection and the overtime costs involved due to the narrow window of time allocated by the nature of leaf pickup. Workers must work long days, Saturdays and holidays to get leaves removed in a timely manner. Deputy Mayor Lenares stated that the leaves go to the Town landfill and are then hauled out and asked about the budget for the leaves to be hauled out of the landfill. Mr. Sanzo replied that it is under sanitation, number 353.
- Deputy Mayor Lenares requested that Newington look into a partnership with Wethersfield for leaf removal. Mr. Sanzo stated that last year the Town spent about \$55,000 to haul leaves out of the landfill. He stated that the Councilors Bottalico, Boni and Bowen spoke about the idea, and that Mr. Malloy spoke to the Town of Wethersfield about the program, and more discussion is needed with the Town Manager.
- Councilor Boni asked the number of leaf collections the budget is based on. Mr. Sanzo replied that the budget is based on two full collections, last year there was four to five collections due to the late fall of the leaves. Councilor Bottalico asked at what point it must end, Town Manager Salomone stated that at some point there must be a cutoff but the Town needs to be reasonable in considering that the leaves may fall at different times. Councilor Bottalico stated that he would be interested in looking into the program with Wethersfield. Town Manager Salomone stated that he will look into the program and stated that there will be a cost to such a program so the savings may be less than the previously mentioned \$55,000. Wethersfield will also need to be on board with the program. Deputy Mayor Lenares stated that the Town is looking to streamline, not eliminate, its leaf pickup program.
- Councilor Boni suggested limiting the number of leaf pickups by only having collections after the leaves fall. Councilor Bowen stated that in 2006-2007 the Town spent \$56,000 in overtime and in 2007-2008 it spent \$61,000, an increase of only \$5,000 between a good leaf pickup year and a terrible pickup year. Mr. Sanzo agreed that the current method of picking up leaves is very efficient. Mayor Wright stated that the Wethersfield leaf program should be further investigated.

329 – Town Garage

- Maintenance of the Town garage building and utilities – has been centralized

351 – Refuse Collection

- Privatized curbside collection – in second year of five-year contract with All Waste Sanitation with a built-in 2.5% increase.

- Reminder of budget increase is in additional stops made. Total price per unit increases \$1.92 for a price of \$79.68 per unit. The program has worked well.
- Councilor Bottalico asked about waste pickup at condominium complexes. He stated that Glen Oaks has placed six additional dumpsters on the property and asked about the policy for additional dumpsters. Mr. Malloy stated that there is a policy which calls for a minimum number of dumpsters per unit but there is no maximum number. He stated that the contractor has mentioned the lack of a maximum number to be a problem. He stated that he has not been aware of any increases in the number of dumpsters in each condo complex. Councilor Bottalico stated that Glen Oaks has brought in six or seven additional dumpsters. Deputy Mayor Lenares stated that the Town is picking up the tab for the extra tonnage produced by these dumpsters. Mayor Wright asked Mr. Malloy to look into the issue.

352 – Refuse Disposal

- Budget pays for the Town's CRRRA contract to dispose of refuse.
- Tipping fee increased \$3.00 per ton to \$72.00 per ton, which yields about two-thirds of the budget increase
- The remaining increase is to allow for increased tonnage due to variables such as rain, etc.
- Councilor Bottalico asked when the contract with the CRRRA will expire. Town Manager Salomone replied that the contract will expire in 2012, but that the Town may be able to back out sooner if an alternative becomes available. Councilor Bottalico stated that the City of Bristol's fee for garbage removal has dropped 40%. He also expressed concern that Newington residents are putting recyclables in the garbage which results in the Town paying for more tonnage than necessary and asked whether the Town should consider creating an ordinance to regulate this practice. Town Manager Salomone replied that there are current CRRRA regulations in which the CRRRA periodically inspects trucks and goes back to the hauler if it finds a preponderance of recyclables in the trash. He also stated that a second way to regulate recyclables would be to put an ordinance in place which would require, under some type of penalty, the mandate of recycling items. He stated that the problem with such an ordinance would be that enforcement would have to be delegated to the private agency that performs the curbside pickup. Councilor Bottalico stated that he has researched the topic and it is a topic for future discussion and investigation. Town Manager Salomone agreed and noted that there are some technologies available for separating refuse from recyclables as well as several other possible solutions to be investigated.
- Deputy Mayor Lenares asked whether the CRRRA contract requires a minimum amount of tonnage. Town Manager Salomone replied that all waste from the Town must be brought to the CRRRA and that there is a minimum of 20,000 tons per year, which the Town generally reaches by spring. Deputy Mayor Lenares asked whether the waste must still be hauled to the CRRRA once the 20,000 ton minimum is received. Town Manager Salomone replied that all waste must go to the CRRRA. Deputy Mayor Lenares stated that the Town should look at the CRRRA contract. Town Manager Salomone replied that the contract is 18 years old. Mayor Wright stated that it is an important issue and that the Town should look into all possible alternatives going forward.

353 – Recycling

- Contract services for removal of recycling items. CRRRA receives income from certain recyclables which helps keep the tipping fee low
- The Town is receiving a rebate of \$10.00 per ton of recycling.
- Councilor Nasinnyk asked about the 50% increase in the budget for recycling. Mr. Malloy replied that the increase is to replace recycling bins. Councilor Nasinnyk asked whether there is a charge to the resident for a new bin; Town Manager Salomone replied that there is not a charge. Councilor Bottalico asked about the charge to the residents for a second recycling bin. Mr. Malloy replied that residents are only supposed to have one bin per household.

Councilor Banach asked about the amount of roadway repaved per year and whether there is a target for repaving. (#322 – Highway Operations). Mr. Sanzo replied that there are two processes used, a roto-mill and pave process and a road reconstruction process. He stated that the in 2007-2008:

- Veterans Drive, Lamplighter Lane and Stagecoach were roto-milled and paved for a total of 1.66 miles
- 3.66 miles of roadway were crack-sealed.
- Stonehedge Drive was reconstructed for about .5 mile
- Several miles are achieved per year using the different methods. Councilor Banach asked if there is an ideal number for the Town. Mr. Sanzo replied that there are several factors, and that costs can vary significantly. He stated that there is no contract in place with the State and that the contract will

not be in place for another month or two. He estimated the cost to be over \$60.00 per ton, and that the cost is the determining factor about how many roads can be done. Mr. Sanzo stated that the Town is trying to achieve a given dollar amount per year of roads and to get to the point getting ahead of the curve in road repair. Councilor Bottalico asked about the length of the contract. Mr. Sanzo replied that the Town has been piggybacking off the State's bid which traditionally starts in June and ends in February. He noted that this puts the Town in a bind sometimes because there is no contract in place in the spring when the budget is approved and the roads are ready to be paved. Councilor Bottalico asked why the State would allow it to go that long knowing that paving can begin in April. Deputy Mayor Lenares remarked that there has been no paving in April, May and June. Mr. Sanzo replied that the contractor, Tilcon, sometimes agrees to hold to the price until a new contract is issued, but the contractor is not required to do so. Councilor Banach asked which State department is involved. Mr. Sanzo replied that it is the Department of Administrative Services (DAS). Deputy Mayor Lenares asked how the amount of roads repaved/repared compares to previous years. Mr. Sanzo replied that the schedule will be more aggressive for the upcoming year.

- Councilor Bowen remarked that the Town fell behind on roadwork last year due to the timing of the contract, and asked whether leftover funds will carry over until spent. Ms. Harter replied that any funds not spent this year will carry forward to the following year on top of the amount budgeted for the upcoming year.
- Councilor Bowen noted concerns over drainage by Town residents and businesses and stated that extra funds were allocated last year to study and begin work on the concerns. He asked for an update on the process and recommendations for 2008-2009. Mr. Sanzo replied that he has worked with the Town Engineer to identify and address drainage issues. He stated that the Town Engineer wants to hold a study to look at and prioritize all of the drainage issues within the Town. Town Manager Salomone stated that immediate drainage needs are being addressed. Councilor Bowen asked about the funding for the study. Town Manager Salomone replied that the funding is set at \$250,000 for the study. Councilor Bowen asked about the plans for 2008-2009. Town Manager Salomone stated that the Town Engineer should come in to speak to the Council in depth about the upcoming year.

E Blighted Property List 2008

Town Manager Salomone stated that pursuant to the Town Code of Ordinances #453 he is required to submit an annual list of blighted properties. He stated that a property must be unoccupied/abandoned in order to be considered blighted and that occupied properties that are eyesores would not fall under this ordinance. He stated that the list is comprised of unoccupied properties identified through concerns of the Police Department, Town Planner, Zoning and the Building Official.

The list for the previous year (2007) is as follows:

- 21 Boulevard – Phase I Environmental Assessment Study completed
- 181 Patricia M. Genova Drive – Former Nursing School building (razed)
- 690 Cedar Street (National Welding Site) – Brownfields Study underway

The 2008 list is as follows:

- 21 Boulevard – Environmental study underway
- 690 Cedar Street (National Welding Site) – Brownfields Study underway
- 476 Fenn Road (former gas station) – nuisance to the neighborhood, the Town will be aggressive
- 9 Adam Drive (residential property)

Mayor Wright asked whether the list goes to the TPZ. Town Manager Salomone replied that it does not; once the list is approved the Town follows up on the property until it is razed or rectified. Mayor Wright asked about the deadline for the list. Town Manager Salomone replied that the deadline is seventy-five days, but all properties must meet the specific guidelines to be included on the list.

Deputy Mayor Lenares inquired about the property at 690 Cedar Street, whether it is unoccupied and who is doing work at the property. Town Manager Salomone replied that the Town's environmental consultants are working on the site. Mr. Meehan stated that the site is occupied by a squatter who is using the back garage based on a hand-shake deal with the prior owners, but that the squatter can be evicted if the Town forecloses on the property. Deputy Mayor Lenares noted that over one million dollars on back taxes are owed on the property. Mayor Wright stated that nothing can be done about this until the Town forecloses on the property, and that the Town needs to know the extent of the environmental risks and concerns prior to

proceeding with the foreclosure. Mr. Meehan stated that Fuss and O'Neill consultants are monitoring the situation. Town Manager Salomone stated that the property is considered abandoned.

F Appointment of Agent of Record for Property, Casualty, Liability Insurances

Town Manager Salomone stated that the Town's current Agent of Record services, Webster Insurance, was recently purchased by USI and will now be known as USI Connecticut. He stated that the same terms will apply but the Agent of Record will need to be updated to reflect this change. Town Manager Salomone stated that the Town is satisfied with the Agent of Record at this point and recommended that the Town remain with the Agent for the remainder of the term.

Councilor Nasinnyk remarked that there has been a previous situation in which the employee for an Agent of Record had left the company, and the Town has had to approve of the change. She stated that in this case the individual employee has remained the same, but the name of the company has changed.

G Appointment of Small Cities Consultant

Town Manager Salomone stated that he has received one response to the RFQ for the consultant required for the Small Cities grant. He stated that the response was from L. Wagner Associates and although there was only one response he feels very comfortable with L. Wagner as it has worked with the Town for many years. He stated that the Town will only have to pay the \$3,000 fee to L. Wagner if it is successful in receiving the grant. Town Manager Salomone stated that the item will be on the agenda for consideration at the March 25, 2008 meeting.

Councilor Bowen asked whether the Town has used a consultant for the Small Cities grant in the past. Town Manager Salomone replied in the affirmative and Mr. Meehan stated that the Town has used L. Wagner's services since 1993. He stated that this year there must be a single project request. Councilor Bowen asked whether six requests could be put in for six projects. Mr. Meehan replied that only one request can be placed, and it must be within an economic development or housing category. Councilor Bowen asked about the expected amount of the grant. Mr. Meehan replied that it will be approximately \$500,000 - \$600,000.

VII WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

A Town Manager Reports – none

VIII COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Nasinnyk reported on the Board of Education meeting from the prior week. She stated that there was discussion and resolution passed concerning K9 searches at NHS. She read from the draft of the Board's motion into the record:

The Board of Education, given its statutory authority to control the properties dedicated to the use for school purposes and its right to determine whether, how and when access is granted to school securities hereby declines at this time to permit K9 searches of Newington High School or other school faculties.

Councilor Nasinnyk stated that the motion was passed unanimously at the Board of Education meeting, but that the issue had caused some confusion at the meeting. Councilor Bowen asked Councilor Nasinnyk to explain the conversation that caused the confusion. Councilor Nasinnyk replied that on of the Board members stated disappointment with making this move because the Town Council had already made a decision and was going to force this to be done in the schools. Councilor Nasinnyk stated that both she and Board of Education liaison to the Council Sharon Bravernman commented that they were unaware of any such decision being made by the Council. Councilor Bowen stated that the Board of Education may be confused. He stated that the Council has authority over general policy, but it does not direct the Town Manager on day-to-day operations or on public safety. He stated that the Town Manager is responsible for public safety through various departments, specifically the Police Department. Councilor Bowen commented that the Board of Education seems to believe that the Council has the authority to instruct the Police Chief to perform certain inspections or searches in the schools, a belief that is wrong on two counts:

- The Council does not have the authority to direct the Police Chief at all

- The Council institutes general policy, but how that policy is implemented is at the discretion of the Town Manager. The Town Manager knows the will of the Council but understands the extent of the power of the Council.

Councilor Bowen again stated that the Board of Education may be confused as to the authority of the Town Council; however the Council, through policy, can show concern regarding student safety in Town. Town Manager Salomone agreed with Councilor Bowen's statements. Councilor Bottalico stated that he was at the Board of Education meeting with Councilor Nasinnyk and that he is going to the Town Attorney for his opinion on the situation which he will report to the Council. Mayor Wright stated that the topic was discussed at the Council's Retreat, but he does not believe that it was discussed by the Council past the Retreat. He expressed surprise about the action by the Board, and noted that safety studies will be discussed at the Council meeting on Monday March 17, 2008.

Councilor Nagel reported on the following meetings:

- CRCOG: passed the proposal for the reworking of the Fenn Road/Cedar Street and Fenn Road/Ella Grasso Boulevard areas. Detailed options and proposals were given to address traffic and usage in the areas. Town Manager Salomone and Councilor Nagel stressed that there have been changes in Town, and requested to have input on the situation. It will be a long process. Town Manager Salomone stated that it was a good meeting with a unanimous recommendation from CRCOG. Councilor Cohen asked whether the presentations were new. Town Manager Salomone stated that they were similar to the presentations made about one year ago.
- Commission on Ageing and Disability: Councilor Nagel asked Councilor Cohen whether she had anything to share regarding the Commission. Councilor Cohen stated that they are continuing with the reaccreditation process and are planning for their annual Volunteer of the Year review.

IX PUBLIC PARTICIPATION – None

X REMARKS BY COUNCILORS - None

XI ADJOURNMENT

Councilor Bowen moved to adjourn the meeting at 10:29pm.

Motion seconded by Councilor Nagel. Motion passed 9-0.

Respectfully Submitted,

Mrs. Jaime Trevethan
Clerk of the Council